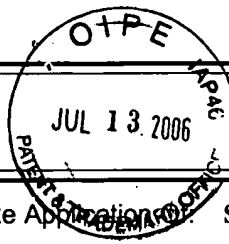


IFW



**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
**BI-0004US**

In Re Application of **Simons and Gao**

|                                      |                                      |                                  |                              |                               |                                 |
|--------------------------------------|--------------------------------------|----------------------------------|------------------------------|-------------------------------|---------------------------------|
| Application No.<br><b>09/276,868</b> | Filing Date<br><b>March 26, 1999</b> | Examiner<br><b>Kam, Chih Min</b> | Customer No.<br><b>26259</b> | Group Art Unit<br><b>1656</b> | Confirmation No.<br><b>2716</b> |
|--------------------------------------|--------------------------------------|----------------------------------|------------------------------|-------------------------------|---------------------------------|

Title: **Method for the PR-39 Peptide Regulated Stimulation of Angiogenesis**

TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:

Transmitted herewith is:

- 1) Power of Attorney with Revocation;
- 2) Certificate Under 37 CFR 3.73(b) and
- 3) Recorded Assignment

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-1619** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

*Jane Massey Licata*

Signature

Dated: **July 11, 2006**

Jane Massey Licata, Reg. No. 32,257  
Kathleen A. Tyrrell, Reg. No. 38,350  
Licata & Tyrrell P.C.  
66 E. Main Street  
Marlton, New Jersey 08053  
Telephone: (856) 810-1515  
Facsimile: (856) 810-1454

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

July 11, 2006

(Date)

*Deborah Ehret*

Signature of Person Mailing Correspondence

**Deborah Ehret**

Typed or Printed Name of Person Mailing Correspondence

cc:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: BI-0004US  
Inventors: Simons and Gao  
Serial No.: 09/276,868  
Filing Date: March 26, 1999  
Examiner: Kam, Chih Min  
Customer No.: 26259  
Group Art Unit: 1656  
Confirmation No.: 2716  
Title: Method for the PR-39 Peptide  
Regulated Stimulation of Angiogenesis

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**POWER OF ATTORNEY WITH REVOCATION**

Revoking any and all powers of attorney heretofore given in the matter of the above-entitled application, the undersigned, assignee of the entire interest in the above-identified application, hereby appoints Licata & Tyrrell P.C., Jane Massey Licata, Registration No. 32,257, Kathleen A. Tyrrell, Registration No. 38,350, and Laura Plunkett, Registration No. 45,015, of Marlton, New Jersey, as attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

BEST AVAILABLE COPY

Send all future correspondence and address all telephone calls to:

JANE MASSEY LICATA, ESQ.  
Licata & Tyrrell P.C.  
66 E. Main Street  
Marlton, New Jersey 08053  
  
(856) 810-1515

Respectfully submitted,

*Mark Chalek*

Beth Isreal Deaconess  
Medical Center  
Name: Mark Chalek  
Title: Director, Technology Ventures Office

Date: 6/29, 2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: BI-0004US  
Inventors: Simons and Gao  
Serial No.: 09/276,868  
Filing Date: March 26, 1999  
Examiner: Kam, Chih Min  
Customer No.: 26259  
Group Art Unit: 1656  
Confirmation No.: 2716  
Title: Method for the PR-39 Peptide Regulated  
Stimulation of Angiogenesis

CERTIFICATE UNDER 37 CFR 3.73(b)

Beth Isreal Deaconess Medical Center, a corporation certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor(s) of the patent application identified above. The assignment is attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own belief are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001, Title 18

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of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Mark Chalek  
Signature

6/29/06  
Date

Mark Chalek  
Typed or printed name

Director, Technology Ventures Office  
Title

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**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SEPTEMBER 27, 1999

PTAS

DAVID PRASHKER, P.C.  
DAVID PRASHKER, ESQ.  
P.O. BOX 5387  
MAGNOLIA, MASSACHUSETTS 01930



\*101101749A\*

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/26/1999

REEL/FRAME: 010118/0298

NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SIMONS, MICHAEL

DOC DATE: 07/21/1999

ASSIGNOR:

GAO, YOUHE

DOC DATE: 07/21/1999

ASSIGNEE:

BETH ISREAL DEACONESS MEDICAL  
CENTER  
330 BROOKLINE AVENUE  
OFFICE OF CORPORATE RESEARCH  
BOSTON, MASSACHUSETTS 02215

SERIAL NUMBER: 09276868

FILING DATE: 03/26/1999

PATENT NUMBER:

ISSUE DATE:

010118/0298 PAGE 2

ALLYSON PURNELL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

07-28-1999

JUL 13 2006



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SHEET

Y

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

JUL 26 1999

Tab settings → → →

To the Honorable Commissioner of Patents and Trademarks: Please return the attached original documents or copy thereof.

1. Name of conveying party(ies):

Michael Simons &  
Youhe Gao

*MRO*  
*7-26-99*

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: July 21, 1999

2. Name and address of receiving party(ies):

Name: Beth Isreal Deaconess Medical Center

Internal Address: \_\_\_\_\_

Office of Corporate Research

Street Address: 330 Brookline Avenue

City: Boston State: MA ZIP: 02215

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: July 21, 1999

A. Patent Application No.(s)

USSN 09/276,868  
filed March 26, 1999

B. Patent No.(s)

N/A

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: David Prashker, Esq.

Internal Address: DAVID PRASHKER, P.C.

Street Address: P.O. Box 5387

City: Magnolia State: MA ZIP: 01930

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):..... \$ 40.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

N/A

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David Prashker

Name of Person Signing

*David Prashker*

Signature

July 21, 1999

Date

Total number of pages comprising cover sheet

5



ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS We, Michael Simons, residing at 115 Grove Street, Chestnut Hill, Massachusetts 02167, and Youhe Gao, residing at 85 Strathmore Road, Apt. 2, Brighton, Massachusetts 02135, together have jointly invented certain improvements in methods for regulating stimulation of angiogenesis; and

WHEREAS Michael Simons and Youhe Gao have entered into an Agreement with the Beth Israel Deaconess Medical Center under the terms of which all rights in the aforesaid invention are to be acquired by the Beth Israel Deaconess Medical Center and net royalties generated by the joint invention of Messrs. Simons and Gao and accruing to the Beth Israel Deaconess Medical Center are to be shared between the named joint inventors and the Beth Israel Deaconess Medical Center, pursuant to said Agreement; and

NOW, THEREFORE, BE IT KNOWN THAT for and in consideration of one dollar and other valuable consideration paid to us by the Beth Israel Deaconess Medical Center, a corporation of Massachusetts having a principal place of business at 330 Brookline Avenue, Boston, Massachusetts 02215, hereinafter called Assignee, the receipt of which is hereby acknowledged, We do

hereby sell, assign and transfer unto said Beth Israel Deaconess Medical Center, its successors, assigns and legal representatives, the entire right, title and interest for the United States of America and all foreign countries in and to any and all improvements which are disclosed in the application for United States Lettres Patent entitled "METHODS FOR PR-39 PEPTIDE REGULATED STIMULATION OF ANGIOGENESIS" jointly invented by us and described in said application executed by us of even date herewith and which is fixed as United States Patent Application Serial Number 09/276,868 filed on March 26, 1999 and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Lettres Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissue patents which have been or shall be issued in the United States and all foreign countries on said improvements; and including all rights of priority resulting from the filing of any such applications.

AND, We agree that said Assignee may apply for and receive Lettres Patent in its own name; and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue and all other patent applications on any and all said

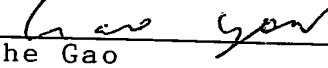
improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and legal representatives, all the facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns and legal representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements, and for vesting title to said improvements and all applications for patents and all patents on said improvements in said Assignee, its successors, assigns and legal representatives; and We do hereby authorize and request the Commissioner of Patents of the United States to issue such Lettres Patent as shall be granted upon said U.S. application(s) to said Assignee, its successors and assigns.

AND We covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreements affecting the rights and property herein conveyed has been made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned.

Date: 7-21-99

By:  (L.S.)  
Michael Simons

Date: 7-21-99

By:  (L.S.)  
Youhe Gao

Commonwealth of Massachusetts )  
County of Suffolk )  
)  
)

BEFORE ME on this 21th day of July, 1999, personally appeared Michael Simons, to me personally known to be the person who is described in and who executed the above instrument, and acknowledged to me that he executed the same of his own free will for the purpose set forth therein.

  
Notary Public

My commission expires on May 24, 2001  
(Seal)

Commonwealth of Massachusetts )  
County of Suffolk )  
)  
)

BEFORE ME on this 21th day of July, 1999, personally appeared Youhe Gao, to me personally known to be the person who is described in and who executed the above instrument, and acknowledged to me that he executed the same of his own free will for the purpose set forth therein.

  
Notary Public

My commission expires on May 24, 2001  
(Seal)